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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DATE FILED: 2/4/14 Rev. June. 2013

PROFESSIONAL MERCHANT ADVANCE  
CAPITAL, LLC

**CIVIL CASE DISCOVERY PLAN  
AND SCHEDULING ORDER**

Plaintiff(s),

- against -

FUSELIER AND COMPANY, DAVID  
FUSELIER, FUSELIER BRIDGE CAPITAL  
LLC, DOTOLO RESEARCH CORP.

Defendant(s).

13 CV 7135 (ER)

ROY WAYNE ERWIN, NEW LEAF BRANDS, INC.,  
CCS HEALTH CARE, LLC & INTEGRATED FREIGHT CORP.

This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. All parties [consent] [do not consent] to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences. (If all parties consent, the remaining paragraphs of this form need not be completed.)
2. This case/[is] [is not] to be tried to a jury.
3. Joinder of additional parties must be accomplished by MARCH 17, 2014.
4. Amended pleadings may be filed until MARCH 17, 2014.
5. Interrogatories shall be served no later than MARCH 17, 2014, and responses thereto shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 [shall] [shall not] apply to this case.
6. First request for production of documents, if any, shall be served no later than APRIL 4, 2014.
7. Non-expert depositions shall be completed by JUNE 2, 2014.
  - a. Unless counsel agree otherwise or the Court so orders, depositions shall not be held until all parties have responded to any first requests for production of documents.
  - b. Depositions shall proceed concurrently.
  - c. Whenever possible, unless counsel agree otherwise or the Court so orders,

non-party depositions shall follow party depositions.

8. Any further interrogatories, including expert interrogatories, shall be served no later than JULY 7, 2014.
9. Requests to Admit, if any, shall be served no later than JUNE 2, 2014.
10. Expert reports shall be served no later than JUNE 2, 2014.
11. Rebuttal expert reports shall be served no later than JUNE 23, 2014.
12. Expert depositions shall be completed by JULY 7, 2014.
13. Additional provisions agreed upon by counsel are attached hereto and made a part hereof.
14. **ALL DISCOVERY SHALL BE COMPLETED BY** JULY 7, 2014.
15. Any motions shall be filed in accordance with the Court's Individual Practices.
16. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).
17. The Magistrate Judge assigned to this case is the Hon. ANDREW J. PECK.
18. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.
19. The next case management conference is scheduled for July 8, 2014 at 10:00am. (The Court will set this date at the initial conference.)

SO ORDERED.

Dated: New York, New York

February 4, 2014



Edgardo Ramos, U.S. District Judge